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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,731	12/18/2000	John Zaharychuk	3239P089	5077

8791 7590 01/25/2005

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EXAMINER

BLOUNT, STEVEN

ART UNIT PAPER NUMBER

2661

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

1. The timely submission under 37 CFR 1.129(a) filed on 9/2/2004 is not fully responsive to the prior Office action because applicant, in the remarks/arguments, states that new claims 38 – 55 have been added, but they are not present in the listing of the claims. The claim listing in the examiners file stops at claim 49. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

2. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or, the response may be faxed to: (703) 872-9306.

For formal communications intended for entry, or for informal or draft communications, please label "PROPOSED" OR "DRAFT".

Any inquiry concerning this communication should be directed to Examiner Steven Blount, whose telephone number is (571) 272 – 3071.

Art Unit: 2661

Examiner Blount may normally be reached Monday through Friday between the hours of 9:00 and 5:30. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Kenneth Vanderpuye, may be reached at (571) 272 – 3078.

  
**Ajit Patel**  
**Primary Examiner**

SB

1/11/04